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FILED

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. CR 12-00701-DLJ
	)	
Plaintiff,	)	STIPULATION AND []
	)	ORDER CONTINUING STATUS
vs.	)	HEARING DATE AND EXCLUDING
	)	TIME UNDER THE SPEEDY TRIAL ACT
BRENDA JO KIBBEE,	)	
	)	
Defendant.	)	
_____	)	

**STIPULATION**

Defendant Brenda Jo Kibbee, by and through Assistant Federal Public Defender Varell L. Fuller, and the United States, by and through United States Department of Justice Trial Attorney Matthew J Kluge, hereby stipulate that, with the Court's approval, the status hearing currently set for Thursday, May 2, 2013, at 9:00 a.m., shall be continued to Thursday, June 6, 2013, at 9:00 a.m.

The reason for the requested continuance is defense counsel requires additional time to effectively prepare and review the voluminous discovery provided in this matter. Accordingly, the parties therefore respectfully requests a continuance of the status hearing previously set in this matter to June 6, 2013.

Accordingly, the parties agree that the time between May 2, 2013, and June 6, 2013, may be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for effective preparation by defense counsel.

Dated: May 1, 2013

\_\_\_\_\_/s/\_\_\_\_\_  
VARELL L. FULLER  
Assistant Federal Public Defender

Dated: May 1, 2013

\_\_\_\_\_/s/\_\_\_\_\_  
MATTHEW J. KLUGE  
Trial Attorney, Tax Division  
United States Department of Justice

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**[] ORDER**

GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY ORDERED that the hearing currently set for Thursday, May 2, 2013, shall be continued to Thursday, June 6, 2013, at 9:00 a.m.

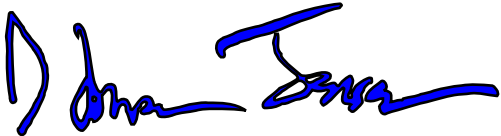
THE COURT FINDS that failing to exclude the time between May 2, 2013, and June 6, 2013, would unreasonably deny the defendant reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. §§ 3161(h)(7)(B)(iv).

THE COURT FINDS that the ends of justice served by excluding the time between May 2, 2013, and June 6, 2013, from computation under the Speedy Trial Act outweigh the interests of the public and the defendant in a speedy trial.

THEREFORE, IT IS HEREBY ORDERED that the time between May 2, 2013, and June 6, 2013, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

IT IS SO ORDERED.

Dated: ~~Í~~ ~~FFH~~

  
\_\_\_\_\_  
THE HONORABLE D. LOWELL JENSEN  
United States District Judge